

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN  
COMPETITION (OVERSEAS CONTRACTING ACTIVITIES)

PR9698563

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1. I recommend that Department of State use other than full and open competition for the acquisition of the replacement LED kits for KIM lighting fixtures (model: 1A-WP9L-LED-KIT-2E35 /120L3K240/LG) to ensure compatibility with existing exterior light fixtures when repairing the LED components on the Embassy compound. The estimated cost is \$20,000.00.

2. Nature and/or description of the action being approved.

During the construction of the NEC the KIM lighting fixtures were installed throughout the compound. This is a request for a new order of parts that are compatible with those fixtures.

3. A description of the supplies or services required to meet the agency's needs.

The purpose of this acquisition is to provide a spare parts for the efficient repair of the existing exterior light fixtures manufactured by KIM Lighting which have been installed on the Embassy compound. These fixtures are using LED sources which are beginning to fail. The replacement LED kit must be from the same manufacturer as the light fixtures in order to ensure compatibility when replacing the failing parts.

4. An identification of the statutory authority permitting other than full and open competition.

41 U.S.C. 253 (c) (2), FAR 6.302-2; Unusual and Compelling Urgency; (Based on the available time and urgency of the requirement as detailed below)

41 U.S.C 253 (c) (1), FAR 6-302-1; Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirements; (Based on limitations to competition because of unique security and other requirements detailed below)

FAR 13.106-1(b)(1) Soliciting competition - 1) For purchases not exceeding the simplified acquisition threshold Contracting Officers may solicit from one source if the Contracting Officer determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization).

Purchasing of repair parts for the equipment which must be from the same manufacturer as the item being repaired because another manufacturer's parts are not compatible.

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions;

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also required for unusual and compelling urgency where more than one offer will not be solicited).

Brand name equipment is required to insure compatibility of parts between the procured items and the existing equipment.

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable. The description should include whether a FedBizOpps notice was or will be publicized, as required by FAR 5.2, and if not, which exception under FAR 5.202 applies (e.g., blanket waiver provided in DOSAR 605.202-70).

This requirement will be competed in accordance with the FAR.

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

Price reasonableness will be established through adequate price competition (FAR 15.403-1).

8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.

Market research was conducted to the extent of identifying availability of the required product on the market. It was determined that there are multiple suppliers on the market, hence the requirement will be competed among multiple suppliers.

9. Any other facts supporting the use of other than full and open competition.

None.

10. A listing of sources, if any that expressed, in writing, an interest in the acquisition.

None.

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

None.

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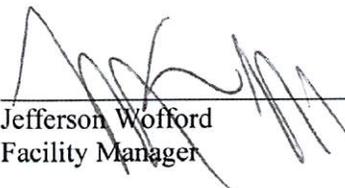
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**CERTIFICATIONS**

**Requirements Office**

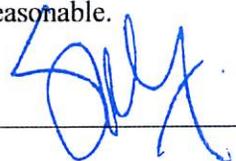
I certify that the information in this justification is accurate and complete to the best of my knowledge and belief.

2-25-21  
Date

  
Jefferson Wofford  
Facility Manager

I certify that this justification is accurate and complete to the best of my knowledge and belief. Based on my assessment, I conclude that other than full and open competition is justified, and the proposed price is fair and reasonable.

2-25-2021  
Date

  
Shiraz Wahaj  
Contracting Officer